

REMARKS

The Office Action dated January 14, 2008, has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 28, 41, 54, and 58 have been amended to more particularly point out and distinctly claim the subject matter of the invention. Claims 45 and 55 have been canceled without prejudice or disclaimer. Claims 28-44, 46-54, and 56-58 are respectfully submitted for consideration.

Claims 28-52 and 54-58 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 7,068,189 of Brescia et al. (Brescia). It is respectfully submitted that the claims recite subject matter that is neither disclosed nor suggested in Brescia.

Independent claim 28, upon which claims 29-31 and 33-40 are dependent, recites a method that includes determining profile reception capabilities of a mobile terminal. The determining profile reception capabilities comprise determining the capability of the mobile terminal to install a particular profile. The method also includes allocating a profile to a specific event. The method additionally includes detecting an association of the mobile terminal with said event. The method further includes based on the determining, transmitting said profile to said mobile terminal.

Independent claim 41, upon which claims 42-44 and 46-53 are dependent, recites an apparatus that includes a determining server configured to determine profile reception capabilities of a mobile terminal. The apparatus also includes a first communications

interface configured to provide a mobile network with event specific information. The apparatus additionally includes a second communications interface configured to receive details of the mobile terminal associated with said event specific information. The apparatus further includes a third communications interface configured to transmit the event specific profile to the mobile terminal associated with an event specific information. The determining server is configured to determine the capability of the mobile terminal to install a particular profile.

Independent claim 54, upon which claims 56 and 57 are dependent, recites a system that includes an application server associated with an event configured to determine profile reception capabilities of a mobile terminal. The determining profile reception capabilities comprise determining the capability of the mobile terminal to install a particular profile. The system also includes a mobile communication network configured to receive event specific characteristics from the application server. The system additionally includes at least one mobile terminal configured to connect to said network. The mobile network notifies the application server if the mobile terminal is associated with said event, and when responsive thereto the application server transmits the event specific profile to said mobile terminal.

Independent claim 58 recites an apparatus that includes determining means for determining profile reception capabilities of a mobile terminal. The determining means determines the capability of the mobile terminal to install a particular profile. The apparatus also includes first communications interface means for providing a mobile

network with event specific information. The apparatus additionally includes second communications interface means for receiving details of the mobile terminal associated with said event specific information. The apparatus further includes third communications interface means for transmitting the event specific profile to the mobile terminal associated with an event specific information.

As will be discussed below, Brescia fails to disclose or suggest all of the elements of the present claims.

Brescia generally describes delivering information, such as a notification or other content, to a select communication device when defined event and location criteria are satisfied. A profile is established to define the event and location criteria along with a method for delivering the information. Specifically, Brescia states “a profile that defines information to provide to a select device is transmitted, when predefined events and location indicia are satisfied, wherein the profile is stored on an application server.” See column 4, lines 46-50, of Brescia. Thus, the “profile” is sent to an application server and not to a device. Further, the “information” that is sent to a select device, such as a notification or other content, is not a “profile” as defined in the present claimed invention. Therefore, according to Brescia, the profile is not sent to a device, only the resulting “information”, if a match occurs. The “information” sent to the user device is a “simple notification, preselected-content, or a combination thereof” and not a profile. See column 4 lines 48-50, of Brescia.

Applicants respectfully submit that Brescia fails to disclose or suggest at least the feature of transmitting said profile to said mobile terminal, as recited in claim 28 and similarly recited in claims 41 and 54. As discussed above, Brescia merely discloses sending “information” to the appropriate device, if the event occurrence and location indicia match the event and location criteria.

Furthermore, Applicants respectfully submit that Brescia fails to disclose or suggest, at least, “the determining profile reception capabilities comprises determining the capability of the mobile terminal to install a particular profile,” as recited in claim 28 and similarly recited in claims 41 and 54. The Office Action relied on column 1, lines 38-54, of Brescia as allegedly disclosing the above-identified limitation. However, column 1, lines 38-54 merely describes a delivery of information, such as a notification or other content, for selecting communication device when defined event and location criteria are satisfied. A profile is established to define the event and location criteria along with a method for delivering the information.

Typically, the receipt of event indicia indicating the occurrence of an event is compared with the event criteria in the profile. When the event indicia satisfies the event criteria, location indicia is gathered and compared with the defined location criteria. Alternatively, a trigger corresponding to location is received and compared with the location criteria before determining whether an event corresponding to the event criteria is satisfied. When both the event occurrence and location indicia match the event and location criteria, the information is sent to the appropriate communication device.

As such, the cited portion does not disclose or suggest “the determining profile reception capabilities comprises determining the capability of the mobile terminal to install a particular profile,” as recited in the presently pending claims.

Thus, Applicants respectfully submit that Brescia does not disclose or suggest all of the features of claims 28, 41, and 54. It is respectfully requested that the rejection of claims 28, 41, and 54 be withdrawn.

Moreover, Applicants respectfully submit that Brescia fails to disclose or suggest at least the feature of “determining profile reception capabilities of a mobile terminal,” as recited in claims 28, 41, and 54. Applicants respectfully submit that Brescia is silent with regard to this feature. In Brescia the information is transmitted to the device without a determination being made as to the device’s capabilities.

On page 3, the Office Action took the position that column 3, lines 5-59, of Brescia describes “determining profile reception capabilities of a mobile terminal.”

However, the cited portion merely describes that the email server is capable of sending email to devices receiving email via the circuit-switched networks 14. Brescia does not disclose or suggest any determining profile reception capabilities of a mobile terminal. Thus, Brescia fails to disclose or suggest, at least, “determining profile reception capabilities of a mobile terminal,” as recited in claims 28, 41, and 54.

Based at least on the above, Applicants submit that Brescia fails to disclose or suggest all of the features recited in claims 28, 41, and 54. Accordingly, withdrawal of the rejection under 35 U.S.C. 102(e) is respectfully requested.

Claims 29-40, 42-52, and 55-57 are dependent upon claims 28, 41, and 54. Accordingly, claims 29-40, 42-52, and 55-57 should be allowed for at least their dependence upon claims 28, 41, and 54, and for the specific limitations recited therein.

Claim 53 was rejected under 35 U.S.C. 103(a) as being unpatentable over Brescia in view of U.S. Patent No. 7,249,100 of Murto et al. (Murto). The Office Action asserted that Brescia and Murto describe all of the features of claim 53. This rejection is respectfully traversed.

Murto generally describes a system and method for enabling a mobile phone or wireless PDA to discover Internet business and services by accessing the Universal Description, Discovery and integration (UDDI) registry using a user's location or coordinates. However, Applicants respectfully submit that Murto does not cure the deficiencies in Brescia. Thus, Applicants respectfully submit that Murto and Brescia fails to disclose or suggest all of the elements of claim 41.

Claim 53 is dependent upon claim 41. Accordingly, claim 53 should be allowed at least for its dependency upon claim 41, and for the specific limitations recited therein.

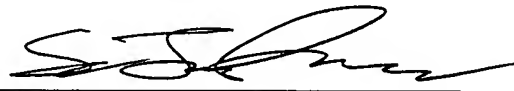
For the reasons explained above, it is respectfully submitted that each of claims 28-44, 46-54, and 56-58 recites subject matter that is neither disclosed nor suggested in the cited art. It is, therefore, respectfully requested that all of claims 28-44, 46-54, and 56-58 be allowed, and that this application be passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by

telephone, the applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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